IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11256 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE M.R. SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BORDA RAJKUMAR ODHAAVJIBHAI THRO.FATHER ODHAVJI M BORDA

Versus

DEAN & CHAIRMAN OF CENTRALISEDADMISSION COMMITTEE

Appearance:

1. Special Civil Application No. 11256 of 2004

MR VM TRIVEDI for Petitioner No. 1

NOTICE SERVED BY DS for Respondent No. 1-2,4

DS AFF.NOT FILED (N) for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE M.R. SHAH

Date of decision: 10/09/2004

ORAL JUDGEMENT

Rule. Shri Dipen Desai, learned advocate waives service of Rule on behalf of respondents No. 1, 2 and 4. Shri KB Pujara, learned advocate waives service of Rule on behalf of respondent No.3.

2. In this petition under Article 226 of the Constitution of India, the petitioner has prayed for an appropriate writ, direction or order directing the respondents No. 1, 2 & 3 to give admission to the petitioner in respondent No.3 College immediately in the open merit category on the basis of the petitioner's marks being 396 and merit order No. 932. Today, when the matter is called out, Shri Dipen Desai, learned advocate, on instructions from his clients, states that at present whatever the seats are vacant the same will be filled-in in the next Counselling and the case of the petitioner will be considered on merits and in light of the judgment passed by this Court [Coram: Mr. Jayant Patel, J.] dated 2.9.2004 in Special Civil Application No. 10398 of 2004 with Special Civil Application No. 10463 of 2004, more particularly in Para 13 of the said judgment. In this view of the matter, Shri Trivedi, learned advocate appearing for the petitioner submits that no grievance survives and therefore he is not pressing the present Special Civil Application. The petition is accordingly disposed of as having not pressed in view of the aforesaid statement and direction. Rule is discharged. Direct service is permitted.

[M.R. Shah, J.]

rmr.